

JUL 31 2003

Michael N. Milby, Clerk of Court

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

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|                         |   |                           |
|-------------------------|---|---------------------------|
| IN RE ENRON CORPORATION | : | Consolidated Civil Action |
| SECURITIES LITIGATION   | : | No. H-01-3624             |

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This Document Relates To:

|   |   |
|---|---|
| MARK NEWBY, et al., individually and        | : |
| on behalf of all others similarly situated, | : |
|   | : |
| Plaintiffs,                                 | : |

v.

|                            |   |
|----------------------------|---|
| ENRON CORPORATION, et al., | : |
|                            | : |
| Defendant.                 | : |

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|   |   |
|---|---|
| THE REGENTS OF THE UNIVERSITY               | : |
| OF CALIFORNIA, et al., individually and     | : |
| on behalf of all others similarly situated, | : |

Plaintiff,

v.

|                         |   |
|-------------------------|---|
| KENNETH L. LAY, et al., | : |
|                         | : |
| Defendant.              | : |

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**APPENDIX TO REPLY MEMORANDUM OF LAW  
IN FURTHER SUPPORT OF DEFENDANT BANK OF AMERICA CORPORATION  
AND BANC OF AMERICA SECURITIES LLC'S MOTION TO DISMISS  
THE FIRST AMENDED CONSOLIDATED COMPLAINT**

1606

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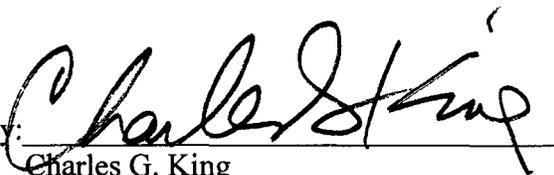
- Exhibit 1: Letter from James I. Jaconette of Milberg Weiss Bershad Hynes & Lerach LLP to Corporation Trust Company, Registered Agent for Banc of America Securities LLC, dated September 20, 2002
- Exhibit 2: Order by Judge Joseph F. Anderson, Jr. in the In re Safety-Kleen Corporation Bondholders Litigation, Civil Action No. 3:00-1145-17, slip op. (D.S.C. Mar. 27, 2002)

Dated: July 31, 2003

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Attorneys for Defendants Bank of America  
Corporation and Banc of America Securities  
LLC.

CERTIFICATE OF SERVICE

I hereby certify that on the 31st day of July, 2003, a true and correct copy of the foregoing Appendix to Reply Memorandum of Law in Further Support of Defendant Bank of America Corporation and Banc of America Securities LLC's Motion to Dismiss the First Amended Consolidated Complaint was served on all counsel of record by website, <http://www.esl3624.com>, pursuant to this Court's Order.

  
Ronit Setton



The Exhibit(s) May

Be Viewed in the

Office of the Clerk